

ATTORNEY DOCKET NO.

ROSS 2864000

PATENT APPLICATION

SERIAL NO. 10/718,131



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Julian Ross

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Serial Number: 10/718,131

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Group Art Unit: 1714

Filed: November 20, 2003

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For: Method and Apparatus for Generating Oxygen

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Examiner: Not yet known

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING

I hereby certify that the original paper identified herein is being deposited with United States Postal Service as first class mail, postage prepaid, to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

on:

12-17-04
Kalina Hulshouser
Kalina Hulshouser

INFORMATION DISCLOSURE STATEMENT

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicant(s) wish to bring the items cited in the attached Form PTO/SB/08 to the attention of the Examiner. A copy of each foreign reference is enclosed for the convenience of the Examiner.

No representation is made, and no representation is intended, that more relevant material does not exist, or that the order of presentation of this material in any way reflects the relative pertinence. The references cited are not intended to constitute an admission of any kind.

Specifically, this presentation is not an admission that the items listed in the attached Form PTO/SB/08 are properly citable against the above-identified application as prior art.

Applicant(s) consider the invention to be distinguishable over the references cited.

The listed references AC, AG, BA, BB, and BC were identified in an International Search Report issued by the European Patent Office on October 6, 2004, in connection with International Patent Application No. PCT/US2004/010122, the international counterpart of the present application. A copy of the International Search Report is also attached hereto.

Additional references were identified in a recently conducted U.S. patentability search.

As this Information Disclosure Statement is being filed before the issuance of the first office action, no fee is enclosed. However, if a fee were to be required, please charge any fee (other than an issue fee) required during the pendency of this U.S. patent application to Deposit Account No. 50-0605 of CARR LLP.

Respectfully submitted,

CARR LLP


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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

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STATEMENT BY APPLICANT

DEC 21 2004

(use several sheets if necessary)

PATENT & TRADEMARK OFFICE

ATTORNEY DOCKET NO.:
ROSS 2864000

SERIAL NO.:
10/718,131

APPLICANT:
Julian Ross

EXAMINER: Not yet known

FILING DATE: November 20, 2003

GROUP: 1714

U.S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Figures Appear
		Number	Kind Code ²			
	AA	6,651,658	B1	Hill, et al,	11-25-2003	
	AB	6,267,114	B1	Ueno	7-31-2001	
	AC	6,143,251		Beller et al.	11-07-2000	
	AD	5,620,664		Palmer	4-15-1997	
	AE	5,466,391		Shinji	11-14-1995	
	AF	4,683,130		Ueno, et al.	7-28-1987	
	AG	4,508,700		Hoshiko	4-02-1985	
	AH	3,725,156		Thompson	4-3-1973	
	AI	3,702,305		Thompson	11-7-1972	

FOREIGN PATENT DOCUMENTS

Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	Office ³	Number ⁴	Kind Code ⁵				
BA	WO	WO 86/02063	A1	Caprara	04-10-1986		
BB	EP	0349349	A2	Nishizawa	01-03-1990		
BC	WO	WO 90/11248	A1	Lim et al.	10-04-1990		
BD							
BE							

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

CA		
CB		
CC		
CD		

EXAMINER:

DATE CONSIDERED:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Place a check mark here if English language Translation is attached.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/718,131
Filing Date	November 20, 2003
First Named Inventor	Julian Ross
Art Unit	1714
Examiner Name	Not yet known
Total Number of Pages in This Submission	65
Attorney Docket Number	ROSS 2864000

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return-receipt postcard; Three foreign references.
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Remarks Copy of Int'l Search Report along with 3 foreign references		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	CARR LLP		
Signature			
Printed name	Gregory W. Carr		
Date	12/17/04	Reg. No.	31,093

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Signature	
Typed or printed name	Kalina Hulshouser
	Date
	12-17-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.